

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREGORY BROWN,

Plaintiff,

v.

WARREN STATE HOSPITAL,

Defendant.

Civil Action No. 05-274 Erie

**MEMORANDUM ORDER**

\_\_\_\_\_Plaintiff's civil rights complaint was received by the Clerk of Court on September 22, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on September 27, 2005, recommended that the Plaintiff's Motion to Proceed *In Forma Pauperis* [Doc. 1] be denied and the case dismissed without prejudice. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at Warren State Hospital, Plaintiff's address of record, and on the Defendant. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 17<sup>th</sup> Day of October, 2005;

IT IS HEREBY ORDERED that the Plaintiff's Motion to Proceed *In forma Pauperis* [Doc. 1] is DENIED and the case DISMISSED WITHOUT PREJUDICE.

The report and recommendation of Magistrate Judge Baxter, dated September 27, 2005, is adopted as the opinion of the court.

s/ SEAN J. McLAUGHLIN  
United States District Judge

cc: all parties of record